

REMARKS

Claims 1-20 remain pending in the present application. Claims 1, 6, 7, 11-18 and 20 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

CLAIM OBJECTIONS

Claims 1-10 and 17 are objected to because of informalities. The claims have been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-3, 6, 7, 10-13, 16, 17 and 20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hughes (U.S. Pat. No. 6,718,170). Applicant respectfully traverses this rejection.

Independent Claims 1 and 11 have been amended to define a single reference sector frequently which is measured, determined if the frequency is greater than a predetermined limit and then reducing the search processing load when the frequency is greater than the predetermined limit.

Hughes discloses that there are multiple signal offsets (because of the multiple base stations), but Hughes does not distinguish between them for controlling the loading. The present invention measures the frequency of a single reference sector and thus it distinguishes between the multiple sectors. The present invention distinguishes a single reference pilot from other pilots. The load reduction algorithm operates only based on the search frequency of the single reference pilot and it disregards the actual

search rate (rate of individual searches). Thus, “frequency in which a single reference sector chosen from a plurality of sectors is searched” is totally different from “search rate”.

This is significant because the search rate may be high or low and yet not considered in the load reduction algorithm. Consider, for example, if the window size is very large and there are few pilot offsets to be searched. In this case, the search rate may be low because of the large window size and yet the frequency of reference pilot search may be high because there are few pilots to search. Thus, in the present application the load reduction would be applied. Yet, according to Hughes, the search rate would be low and thus there would be no load reduction applied.

Thus, Applicant believes Claims 1 and 11, as amended, patentably distinguish over the art of record. Likewise, Claims 2, 3, 6, 7 and 10, which ultimately depend from Claim 1, and Claims 13, 16, 17 and 20, which ultimately depend from Claim 11, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 4-5 and 14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hughes in view of New (U.S. Pat. No. 6,625,467). Claims 8 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hughes in view of New and Storm (U.S. Pat. No. 5,889,768). Claims 9 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hughes ('170) in view of Hughes (U.S. Pat. No. 6,704,577).

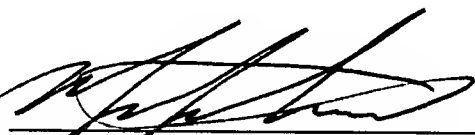
Claims 4, 5, 8 and 9 ultimately depend from Claim 1. Claims 14, 15, 18 and 19 ultimately depend from Claim 11. As stated above, Claims 1 and 11 have been amended and are now believed to patentably distinguish over the art of record. Thus, Claims 4, 5, 8, 9, 14, 15, 18 and 19 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: January 18, 2006

By: 
Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg